

AUG - 9 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

PAMELA V. SMITH,

Plaintiff

Case No. 4:05cv00070

ORDER

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

By: **Jackson L. Kiser**
Senior United States District Judge

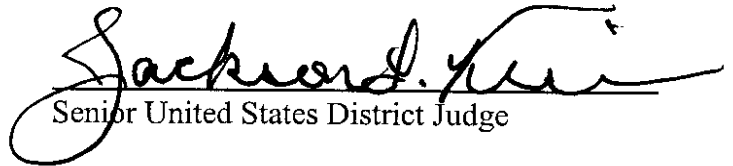
On December 27, 2005, this Court entered an order referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and recommended disposition. The Magistrate Judge filed his Report and Recommendation on July 21, 2006. After reviewing the record in this case and no objections having been filed to the Magistrate Judge's Report and Recommendation within ten (10) days of its service upon the parties, this Court adopts the Magistrate Judge's Report in its entirety. Accordingly, it is this day **ADJUDGED** and **ORDERED** as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed July 21, 2006, shall be, and hereby is, **ADOPTED** in its entirety.
2. For the reasons stated in the Magistrate Judge's Report, the Commissioner's final decision is **AFFIRMED** in part and **REVERSED** in part, and the case is **RECOMMITTED**

to the Commissioner for the sole purpose of calculating and paying proper supplemental security income (SSI) benefits.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 9th day of August, 2006.


Senior United States District Judge